

REMARKS

This is in response to the Office Action mailed on November 9, 2007. In the Office Action, claims 1-19 and 21 were pending and were rejected. With the present response, all claims remain unchanged.

Beginning on page 2 of the Office Action, the Examiner rejected claims 1-13, 15-19, and 21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,121,964 (hereinafter referred to as “the Andrew reference”) in view of U.S. Patent No. 6,983,283 (hereinafter referred to as “the Sowizral reference”). For reasons that will be described in detail below, it is respectfully submitted that the pending claims are patentably distinguishable from the proposed combination of references at least because the cited references, considered independently or in combination, fail to teach or suggest at least one limitation of each claim.

Independent claim 1 recites a computer implemented method for selectively loading controls. In response to the claimed preamble of claim 1, the Examiner states that the Andrew reference does not “teach selectively loading controls when they are selected.” Instead, on page 3 of the Office Action, the Examiner points to the Sowizral reference at column 6, lines 1-27, as teaching “selectively loading nodes of a hierarchy of information as they are needed by the application.” This passage, however, simply describes “selectively load[ing] portions of scene graphs” (see column 6, lines 8-9) (bracketed material added). It is respectfully submitted that selectively loading portions of scene graphs is completely different than selectively loading controls. Thus, there is a significant difference between the elements of the preamble of claim 1 and the teachings of the Sowizral reference. Consequently, the Sowizral reference fails to remedy the inability of the Andrew reference to teach or suggest such elements. Accordingly, it is respectfully submitted that independent claim 1 is patentably distinguishable from the cited references at least for this reason.

Independent claim 1 also recites “loading a first control in response to the first selection input.” However, there is nothing in either cited reference that teaches or suggests loading a text input control in response to selection input. Accordingly, it is respectfully submitted that independent claim 1 is patentably distinguishable from the cited references at least for this reason.

Further, Applicant respectfully points out that the proposed combination is a combination of two references from relatively diverse areas of art. The Andrew patent relates to “a system for persistently storing data of a control of a window” (column 1, lines 8-9). The Sowizral patent relates to “the use and management of scene graphs for computer graphics” (column 1, lines 9-10). It is respectfully submitted that the Examiner has not reasonably supported the conclusion that a person of ordinary skill, seeking to solve a problem of efficiently managing large scene graphs, would reasonably be expected or motivated to look to a system for persistently storing data of a control of a window. The combination of elements from non-analogous sources, in a manner that reconstructs the applicant’s invention only with the benefit of hindsight, is insufficient to present a *prima facie* case of obviousness. *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443, 1446 (Fed. Cir. 1992). In light of the lack of a reasonable motivation related to why it would be obvious to combine the two cited references, it is respectfully submitted that the proposed combination is based on nothing more than hindsight in view of the invention of claim 1.

Interestingly, on page 3 of the Office Action, the Examiner states that the combination of the cited references solves the problem of “when the *memory* of the device is *not sufficient* to load all the data” (emphasis added). However, this problem really is not at issue in the context of Applicant’s invention. As is made clear in Applicant’s specification, the issue at hand involves avoiding unnecessary control loading not to free memory but to encourage efficient processing. There is almost always going to be enough memory to load all controls if desired.

The Federal Circuit Court held in *Lindemann v. American Hoist* that “The claimed invention must be considered as a whole, and the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination.” (730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)). A general relationship between fields of prior art references to be combined is insufficient to suggest the motivation. *Interactive Techs, Inc. v. Pittway Corp.* (Civ. App. No. 98-1464, slip op. at 13 (Fed. Cir. June 1, 1999) (unpublished), *cert. denied*, 528 U.S. 1046 (1999)).

The problem solved by the Sowizral reference has little or nothing to do with the problem overcome by the present invention. It is respectfully submitted that there is nothing in the prior

art as a whole to suggest the desirability, and thus the obviousness, of making the combination to solve the problem of efficient loading and rendering of user interface information. Accordingly, it is respectfully submitted that independent claim 1 is patentably distinguishable from the cited references at least for this additional reason.

For at least these reasons, Applicant submits that claim 1 is neither taught nor suggested by the cited reference and is thus in allowable form. Further, it is submitted that dependent claims 2-16 are also in allowable form at least based on their relation to claim 1. Also, it is believed that at least some of these dependent claims recite additional features that are neither taught nor suggested by Sowizral. For example, dependent claim 2 recites "receiving a second selection input that corresponds to the graphical representation of the second user interface component" and "terminating said first control in response to the second selection input." On page 4 of the Office Action, the Examiner states that Sowizral teaches terminating said first control in response to the second selection input at column 6, lines 38-61, which states that "[w]hen a second node is selected, the first node is purged from memory and the second node is loaded." Sowizral does not teach or suggest terminating a first text input control and loading a second text input control in response to the second selection input. In column 6, lines 40-43, Sowizral discloses that "as viewpoint 100 moves from a position near branch group node 108 to a position near branch group node 110, the leaf nodes of branch group 108 may be purged from memory (i.e., replaced with a pointer), and the leaf nodes of branch group 110 may be read into memory." When a user selects a thumbnail, the thumbnail view is terminated and the corresponding slide is loaded to the presentation editor. In this manner, the thumbnails are no longer provided to the user. Thus, the system of Nelson does not teach or suggest a second input selection corresponding to a graphical representation of a second user interface component where the second input terminates a first control and loads a second control. There is nothing in either cited reference that teaches or suggests terminating a text input control, let alone terminating in response to selection of a different user interface component associated with a different text input control, as is reflected in claim 2. This is but one example of a dependent claim that is believed to be independently patentable based on the merits of its own limitations.

On page 10 of the Office Action, the Examiner rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Andrew, Sowizral and DuFresne, U.S. Patent No. 5, 835, 712 (hereinafter referred to as "the DuFresne reference"). Claim 14, which depends on independent claim 1, is believed to be in patentable form at least for the same reasons discussed above in relation to its affiliated independent claim. Further, it is respectfully submitted that this claim is patentable based on the merit of its own claim limitations. Reconsideration and allowance of claim 14 are respectfully solicited.

Independent claim 17 recites "providing a graphical representation of a user interface that contains a plurality of graphical representations of individual user interface components, each graphical representation of an individual user interface component being associated with a control", "receiving a user input", and "identifying one of the graphical representations...as being associated with the user input." Further, claim 17 recites "loading a first control, the first control being associated with said one of the graphical representations", "receiving a second user input", and identifying one of the graphical representations...associated with the second user input." The first control is terminated and a second control is loaded in response to the second user input. The second control is associated with one of the graphical representations associated with the second user input. For at least the same reasons outlined above in relation to claims 1 and 2, it is respectfully submitted that independent claim 17 and dependent claims 18 and 21 are also in allowable form. Reconsideration and allowance of these claims are respectfully solicited.


Independent claim 19 recites "a plurality of graphical representations of user interface components... wherein each of said plurality is associated with a control, and wherein each control is configured to be loaded exclusively and not concurrently with another control that has not been terminated." There is nothing in either cited reference that teaches or suggests configuring to load each control exclusively with another control that has not been terminated. It is thus respectfully submitted that independent claim 19 is in allowable form. Reconsideration and allowance of this claim are respectfully solicited.

In conclusion, it is respectfully submitted that all pending claims are in condition for allowance. Reconsideration and allowance are respectfully requested. The Director is authorized

to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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